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Dear Sir/Madam,

2010 NOV 24 AM 11:57

Please accept the following complaint for filing:

OFFICE OF GENERAL
COUNSEL

MUR #

6434

COMPLAINT

I. Introduction -- This complaint is regarding actions taken by the Indiana Democratic Party in Indiana's 2nd district congressional race. The Indiana Democratic Party mailed a campaign flyer several days before the November 2, 2010 election that endorsed Libertarian candidate Mark Vogel in the race. The flyer, however, was not authorized by Mr. Vogel or the Vogel for Congress committee and did not include the required disclaimer to this effect. This is a violation of federal election law.

II. Parties --

Complainant:

VOGEL FOR CONGRESS

Ray Wolff

Media Coordinator

PO Box 689

La Porte, IN 46352

Respondents:

Indiana Democratic Party

INDIANA DEMOCRATIC PARTY HEADQUARTERS

115 West Washington St, Suite 1165

Indianapolis, IN 46204

2010 DEC - 1 P 4:46

RECEIVED
FEDERAL ELECTION
COMMISSION
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III. Facts -- In the days leading up the November 2, 2010 election, the Indiana Democratic Party sent up to 20,000 mailers to Indiana Congressional District 2 voters. The mailers, not authorized by the Vogel for Congress campaign, represents Mark Vogel as the 'True Conservative' and according to Indiana Democratic Party Chair, Dan Parker were sent to "conservative voters in the 2nd District." The mailer does not state that the mailer was not authorized by the candidate Mark Vogel. In addition, the characterization of Mr. Vogel as a conservative disregards a number of his positions on other issues.

Copies of the Indiana Democratic Party mailer, "Walorski camp blasts 11th hour mailer" news article from Michigan City's The News Dispatch, (Nov. 1, 2010) and "11th-HOUR DECEPTION" news article from La Porte Herald Argus (Nov. 2, 2010) are attached as exhibits.

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IV. Violation -- Federal election law requires that a flyer, such as that described, that is not authorized by a candidate or a candidate's committee is required to have a statement to that effect. The flyer described above was not authorized by Mr. Vogel or by the Vogel for Congress committee and the flyer did not have such a statement. Consequently, the flyer was mailed in violation of federal election law.

V. Conclusion -- The flyer paid for and mailed by the Indiana Democratic Party was not authorized by Mark Vogel or his campaign and did not include the required statements and disclaimers. Therefore, the Indiana Democratic Party violated federal election law and should be penalized and/or sanctioned accordingly.

Respectfully submitted,

By: Ray Wolff

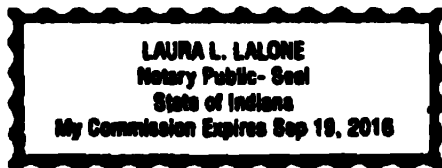
Ray Wolff
Media Coordinator
Vogel for Congress

Complainant Signature Ray Wolff

Date: 11/21/10

STATE OF INDIANA
COUNTY OF LA PORTE

Sworn to and signed before me this 21 day of November, 2010, by Ray Wolff



Signature: Laura L. Lalone
Notary

Name: Laura L. LaLone

Commission Expires: 9-19-2016

Personally Known ✓ OR Produced Identification _____
Type of Identification Produced _____

Paid for by the Indiana Democratic Party

115 West Washington St., Suite 1165
Indianapolis, IN 46204

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Indianapolis, IN



*****ECR107R00

ANDREW WOLF
OR CURRENT RESIDENT

LA PORTE IN 46350-9661



VETERAN MARK VOGEL.



THE TRUE CONSERVATIVE FOR CONGRESS.

**ON TUESDAY, NOV. 2, SUPPORT THE TRUE CONSERVATIVE.
VOTE MARK VOGEL FOR CONGRESS.**

www.Vogel4Congress.com

THE TRUE CONSERVATIVE MARK VOGEL FOR CONGRESS



ABOLISH THE IRS.

CUT SPENDING BY 50%.

PROTECT OUR 2ND AMENDMENT RIGHTS.

Mark Vogel is the true conservative running for Congress. Mark defended our freedom in the U.S. Navy and Air Force Reserves. In Congress, Mark will fight for American exceptionalism and to protect the future of our children and grandchildren from the crushing debt they're being saddled with by Congress. He'll start by ending government-run health care. Cut government spending by 50%. And abolish the IRS. Mark knows making America great again means expanding freedom and getting government out of our lives. This year, don't settle for the status quo. Support a true Conservative. Vote Mark Vogel for Congress.



- ✓ **End government-run health care and keep government from running our lives.**
- ✓ **Put government spending by 50% and never again force taxpayers to pay for government bailouts.**
- ✓ **Abolish the IRS and the income tax.**
- ✓ **No amnesty for illegal aliens.**
- ✓ **Protect our God-given 2nd Amendment rights.**

South Bend Tribune

9/26/10

**"MARK VOGEL SAID THE GOVERNMENT
SHOULD CUT SPENDING BY 50 PERCENT"**

**ON TUESDAY, NOV. 2, SUPPORT THE TRUE CONSERVATIVE.
VOTE MARK VOGEL FOR CONGRESS.**

www.Vogel4Congress.com

11044304638

THE MONDAY NEWS DISPATCH

NOVEMBER 1, 2010

The Indianapolis Times since 1928

WALORSKI CAMP BLASTS DEMS' 11TH HOUR MAILER

State party promotes Libertarian

By Matt Field
Staff Writer

MICHIGAN CITY — The campaign for Republican congressional hopeful Jack Walorski called out state Democrats on Sunday for sending conservative voters an 11th-hour flyer urging them to vote for the Libertarian candidate in the state and Rep. Jim Donnelly, D-Granger, head into Tuesday's election.

Walorski spokesman Mark Kirby accused the Democrats of trying to split the conservative vote.

"A lot of our supporters received that in the mail yesterday," Kirby said, adding, "It is an intentional deception to send something like this out to folks in the closing hours of the campaign."

Indiana Democratic Party Chairman Don Parker late Sunday acknowledged sending out as many as 20,000 mailings.

"Jack Walorski has been providing himself as a conservative, and given the fact that the voters to choose a 55 percent national vote, we decided to highlight the fact that candidate Mark Vogel is actually more conservative than he is," Parker said, "and that was the whole point of the piece."


The mailings, Parker said, were sent to "conservative voters in the 2nd District."

Parker said he doesn't necessarily agree with the message on the mailing, one of which reads: "Libertarian candidate Mark Vogel's proposed plan of cutting taxes, reducing government size, and ending the federal deficit is the only realistic solution to our problems."

The plan is "informational," Parker said. "Obviously, it gets information out about Mark Vogel."

However, La Porte County

Put us by the Indiana Democratic Party



VETERAN MARK VOGEL.

THE TRUE CONSERVATIVE FOR CONGRESS.

PUT THE DAY NOV 2, 2010 IN THE 2ND CONSERVATIVE VOTE MARK VOGEL FOR CONGRESS

The mailer paid for by the Indiana Democratic Party, provided

Democratic Party Chairman John Jones, who had not seen the mailing, criticized the state party's approach late Sunday and said the money could have been spent better.

"That would not have been met with any agreement by me or anybody in La Porte County," he said.

The Democratic campaign did not respond to repeated requests for comment.

Donnelly and Walorski were listed as a heated race as Donnelly, Donnelly, who is a former state legislator, did not respond to repeated requests for comment.

Walorski's campaign is con-

ducting the Democratic hunt. His campaign sent out a press release announcing that the Democrats endorsed him.

"They have spent money to endorse a Libertarian candidate in the mailer," Vogel campaign spokesman Ray Wolf said. "So they're not going to take it."

Walorski said the Democrats' endorsement was "a mistake."

The mailing urges voters to "support the true conservative. Vote Mark Vogel for Congress."

Walorski said the effort cost about \$10,000. A statement on the mailing indicated it was paid for by the Indiana Democratic Party. Kirby did not think the mailing would cost Walorski votes.

"I think that voters in the district are going to see through this kind of intentionally underhanded manipulation," he said.

As for the Democrats' campaign, Walorski said, "I have that up to the Vogel campaign."

Walorski said the Vogel campaign is happy for the free advertising.

"We wish we would have had that money to do a similar thing last," he said.

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NEW

LARGE ONLY \$11

872-1227

What's news



THE GARDENERS: Delegate Arthur, Carlo, were a work built on the south in Newport Beach, California, on Sunday during the 2010 National Golf and Recreation Association Photo

Esquivelle to be Obama's first female president

A former Senate staffer who was turned and imprisoned during Obama's long presidency was elected Sunday as the first female president of the United States. She is a country in the midst of a rapid economic and political rise.

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New Buffalo man, 38, dies in crash

From Staff Reporters

A 38-year-old New Buffalo, Michigan, man died in an early Sunday crash at an intersection in the state line between Michigan and Indiana.

According to an Indiana State Police press release, Quinn Collins was pronounced dead at the scene from blunt force trauma by

the La Porte County Coroner's Office. Collins was driving a 2007 Honda Civic.

Investigative believe Collins played a role in the crash. A preliminary investigation

showed the 2007 Honda Civic was driving on a highway, driving with no lights on when it was struck by a 2001 Dodge Caravan.

The Caravan was in the left lane, hitting a concrete barrier wall on the inner shoulder of the road. The driver

of the Caravan, Austin, was taken to St. Anthony Memorial Hospital for facial injuries and shoulder pain.

Six of the seven passengers in the Caravan — all family members of Evansville — also were taken to St. Anthony Memorial for non-life threatening injuries.

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New And Used Vehicles

3.99% APR

Free Oven Mitt When You Receive Your Loan.

OUR VEHICLE RATES ARE TOO HOT TO HANDLE!

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MICHIGAN CITY, INDIANA

News > Local

Walorski camp blasts 11th hour mailer State party promotes Libertarian

Print Page

By Matt Field
Staff Writer

Published: Monday, November 1, 2010 5:12 PM CDT

MICHIGAN CITY — The campaign for Republican congressional hopeful Jackie Walorski called out state Democrats on Sunday for sending conservative voters an 11th-hour flier urging them to vote for the Libertarian candidate as she and Rep. Joe Donnelly, D-Granger, head into Tuesday's election.

Walorski spokesman Matt Kirby accused the Democrats of trying to split the conservative vote.

"A lot of our supporters received that in the mail yesterday," Kirby said, adding, "It is an intentional deception to send something like this out to folks in the closing hours of the campaign."

Indiana Democratic Party Chairman Dan Parker late Sunday acknowledged sending out as many as 20,000 mailings.

"Jackie Walorski has been parading herself around as a conservative, and given the fact that she wants to create a 23 percent national sales tax, we decided to highlight the fact that candidate Mark Vogel is actually more conservative than she is," Parker said, "And that was the whole point of the piece."

The mailings, Parker said, were sent to "conservative voters in the 2nd District."

Parker said he doesn't necessarily agree with the message on the mailing, one of which touts Libertarian candidate Mark Vogel's purported goal of ending "government-run health care." He said similar mailings were sent in the 9th Congressional District where Rep. Baron Hill, D-Seymour, is running against Republican Todd Young.

"The piece is informational," Parker said. "Obviously, it gets information out about Mark Vogel."

However, La Porte County Democratic Party Chairman John Jones, who had not seen the mailing, criticized the state party's approach late Sunday and said the money could have been spent better.

"That would not have been met with any agreement by me or anybody in La Porte County," he said.

The Donnelly campaign did not respond to repeated requests for comment.

Donnelly and Walorski are locked in a heated race as Democrat Donnelly works to defend his seat as many national political forecasters predict Republicans will wrest control of at least one chamber of Congress on Tuesday.

Vogel's campaign is embracing the Democratic boost. His campaign sent out a press release announcing that the Democrats endorsed him.

"They have spent money to endorse a Libertarian candidate in the mailer," Vogel campaign spokesman Ray Wolff said. "So that's how we are going to take it."

Parker discounted that notion, saying that "nowhere on the piece did the Democratic Party endorse him. We did an information piece for him."

The mailing urges voters to "support the true conservative. Vote Mark Vogel for Congress."

Parker said the effort cost about \$15,000. A statement on the mailing indicates it was paid for by the Indiana Democratic Party. Kirby did not think the mailing would cost Walorski votes.

"I think that voters in the district are going to see through this kind of intentionally underhanded campaigning," he said.

As to the Libertarian campaign treating the endorsement as genuine, Kirby said, "I leave that up to the Vogel campaign."

Wolff said the Vogel campaign is happy for the free advertising.

"We wish we would have that kind of money to do a mailer like that," he said.

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HERALD-ARGUS

THE LA PORTE COUNTY

Cory Beecher, 19, of La Porte, jumps off the rails yesterday at the skate park in Fox Memorial Park. Photo by Matt Fritz

SAY WHAT?

Three arrested for underage drinking

LA PORTE — La Porte Police broke up an underage drinking party in the downtown area. At least three arrests were made early Sunday at an upstairs apartment in the 200 block of State Street.

At about 12:30 a.m. officers Chae Uhlmann and Patrick Slightes responded to a complaint of loud music.

Five subjects were coming down the stairs when they saw police and ran back upstairs.

Police said about 20

"11TH-HOUR DECEPTION?"

Democrats mail flier to local conservatives promoting Libertarian in Donnelly-Walorski race

By Matt Field
Staff Writer

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Paid for by the Indiana Democratic Party

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Please see 11th Hour, Page A3

heraldargus.com

LA PORTE, INDIANA

News > Local

"11TH-HOUR DECEPTION?"

Democrats mail flier to local conservatives promoting Libertarian in Donnelly-Walorski race

Print Page

By Matt Field
Staff Writer

Published: Tuesday, November 2, 2010 11:22 PM CDT

MICHIGAN CITY — The campaign for Republican congressional hopeful Jackie Walorski called out state Democrats on Sunday for sending conservative voters an 11th-hour flier urging them to vote for the Libertarian candidate as she and Rep. Joe Donnelly, D-Granger, head into Tuesday's election.

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